

REMARKS

Claims 1, 3, 5-6, 13, 16-20 and 22-24 are pending. No amendments are made herein. Reconsideration is requested.

Claims 1, 3, 5, 6, 13, 16, 17, 19, 20 and 22-24 have been rejected under 35 U.S.C. 102(e) as being anticipated by Calhoun et al. (US 2007/0154983 A1, published July 5, 2007, priority November 20, 2003). Claim 18 has been rejected under 35 U.S.C. 103(a) as being obvious over Calhoun et al. (US 2007/0154983 A1, published July 5, 2007, priority November 20, 2003).

Applicants respectfully submit that the invention disclosed but not claimed in the cited art, Calhoun 2007/0154983 A1, is not art under 35 U.S.C. 102(e) because it is not the work of "another". Attached herewith is a Declaration by Dr. Swartz under 37 C.F.R. 1.132 and MPEP 715.01(a), stating that any subject matter described in U.S. Patent Application no. US 2007/0154983 A1 and relied on in the rejection was solely conceived and invented by the inventors of the present application.

In view of the attached Declaration and remarks, withdrawal of the rejection is requested.

Applicant submits that all of the claims are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this application, please telephone the undersigned at the number provided.

The Commissioner is hereby authorized to charge any underpayment of fees up to a strict limit of \$3,000.00 beyond that authorized on the credit card, but not more than \$3,000.00 in additional fees due with any communication for the above referenced patent application, including but not limited to any necessary fees for extensions of time, or credit any overpayment of any amount to Deposit Account No. 50-0815, order number STAN-353.

Respectfully submitted,
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